

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-6, 10-15, 19-22, and 24-30 are presently pending in this case. Claims 1, 10, 19, and 24 are amended and Claims 7, 8, 16, 17, 23, and 31 are canceled without prejudice or disclaimer by the present amendment. As amended Claims 1, 10, 19, and 24 are supported by the pending claims,<sup>1</sup> no new matter is added.

Further, as the present amendment adds the subject matter of already considered Claim 31 into the independent claims, it is respectfully submitted that this amendment under 37 C.F.R. §1.116 should be entered and considered.

In the outstanding Official Action, Claims 1-6, 10-15, 19-22, and 24-29 were rejected under 35 U.S.C. §103(a) as unpatentable over Yuji (Japanese Patent Publication No. 2003-173278) in view of Takashima (U.S. Patent Application Publication No. 20040010634); and Claims 7, 8, 16, 17, 23, 30, and 31 were rejected under 35 U.S.C. §103(a) as unpatentable over Yuji in view of Takashima and further in view of Wright, Jr. et al. (U.S. Patent Application Publication No. 20040122873, hereinafter "Wright").

With regard to the rejection of Claim 1 as unpatentable over Yuji in view of Takashima, that rejection is overcome by the addition of the subject matter of Claim 31 into Claim 1. With regard to the rejection of Claim 31 as unpatentable over Yuji in view of Takashima and further in view of Wright that rejection is respectfully traversed with respect to amended Claim 1.

Amended Claim 1 recites in part:

copying means for copying data from an external  
storage medium;  
data attribution detection means for detecting  
attribution of storing-target data;

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<sup>1</sup>See, e.g., canceled Claim 31.

control means for setting deletion-target priority of said data based on said attribution, ***said control means setting said deletion-target priority of said data to high for all data with attribution of said data showing that said data is content copied from a compact disk.***

The outstanding Office Action conceded that Yuji and Takashima do not describe this feature, and cited Wright as describing this subject matter.<sup>2</sup> Wright describes adding a deletable attribute to a file which indicates to the operating system that this file may be automatically deleted if additional space is needed. Paragraph 27 of Wright describes the types of files that may be given this attribute. These types include temporary files, cache files, a file saved by a user, a backup file, or other file type. Wright does not describe any means that adds the deletable attribute ***for all data copied from a compact disk***. Therefore, it is respectfully submitted that the proposed combination does not teach or suggest “control means” as defined in amended Claim 1. Consequently, Claim 1 (and Claims 2-6 dependent therefrom) is patentable over Yuji in view of Takashima and further in view of Wright.

Amended Claims 10 and 19 recite in part:

copying data from an external storage medium;  
detecting attribution of storing-target data;  
setting deletion-target priority of said data based on said attribution, ***said setting including setting said deletion-target priority of said data to high for all data with attribution of said data showing that said data is content copied from a compact disk.***

As noted above, Wright only describes the types of files that may be given this attribute are temporary files, cache files, a file saved by a user, a backup file, or other file type. Wright does not describe adding the deletable attribute ***for all data copied from a compact disk***. Therefore, it is respectfully submitted that Wright does not teach or suggest “determining deletion-target priority” as defined in amended Claims 10 and 19.

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<sup>2</sup>See the outstanding Office Action at pages 18-19.

Consequently, Claims 10 and 19 (and Claims 11-15 and 20-22 dependent therefrom) are also patentable over Yuji in view of Takashima and further in view of Wright.

Amended Claim 24 recites in part:

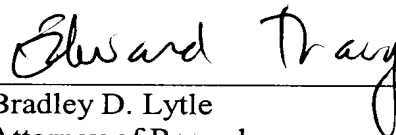
a copying unit configured to copy data from an external storage medium;  
a data attribution detection unit configured to detect attribution of storing-target data;  
a control unit configured to set deletion-target priority of said data based on said attribution, ***said control unit configured to set said deletion-target priority of said data to high for all data with attribution of said data showing that said data is content copied from a compact disk.***

As noted above, Wright only describes the types of files that may be given this attribute are temporary files, cache files, a file saved by a user, a backup file, or other file type. Wright does not describe any unit configured to add the deletable attribute ***for all data copied from a compact disk***. Thus, it is respectfully submitted that Wright does not teach or suggest "a control unit" as defined in amended Claim 24. Consequently, amended Claim 24 (and Claims 25-30 dependent therefrom) is patentable over Yuji in view of Takashima and further in view of Wright.

Accordingly, the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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